

ORDINANCE NO. 27-3

AN ORDINANCE OF CONNOQUENESSING BOROUGH, BUTLER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 57, KNOWN AS THE ZONING ORDINANCE, CODIFIED AS CHAPTER 27 OF THE CODE OF ORDINANCES OF THE BOROUGH OF CONNOQUENESSING, SECTION 27-501, OFFICIAL ZONING MAP, TO RECLASSIFY PORTIONS OF PROPERTY OWNED BY LESLIE FARMS, L.P., BEING PART OF TAX MAP 270-S1-B2-0000 AND PART OF PROPERTY OWNED BY MICHAEL C. FORBES AND VICKIE C. FORBES, BEING PART OF TAX MAP PARCEL 370-S1-A45A-0000, FROM THE AGRICULTURAL DISTRICT TO THE RESIDENTIAL DISTRICT

WHEREAS, the Borough of Connoquenessing, Butler County, Pennsylvania (hereinafter "Borough"), enacted its Zoning Ordinance, Ordinance No. 57 with the Official Zoning Map of the Borough incorporated therein on the 5th day of May, 1991; and

WHEREAS, the Borough's Zoning Ordinance, Ordinance No. 57 and the incorporated Official Zoning Map has since be codified as Chapter 27 in the Code of Ordinances of the Borough of Connoquenessing; and

WHEREAS, Leslie Farms, L.P. owns certain real property located in the Borough known as Tax Map Parcel 370-S1-B2-0000; and

WHEREAS, Michael C. Forbes and Vickie L. Forbes, husband and wife, own certain real property located in the Borough known as Tax Map Parcel 370-S1-A45A-0000; and

WHEREAS, Leslie Farms, L.P. petitioned the Borough to change and reclassify the zoning classification for part of its property known as Tax Map Parcel 370-S1-B2-0000 from the Agricultural District to the Residential District; and

WHEREAS, the Borough, in considering Leslie Farms, L.P.'s request for rezoning, has determined that it would be in the best interest of the Borough to rezone a part of Tax Map Parcel 370-S1-B2-0000 owned by Leslie Farms, L.P., as well as, rezone part of Tax Map Parcel 370-S1-A45A-0000 owned by Michael C. Forbes and Vickie L. Forbes, husband and wife, from the Agricultural District to the Residential District; and

WHEREAS, the Borough has conducted a public hearing pursuant to public notice in a manner required by the Ordinance and the Municipalities Planning Code, with respect to notice to parties, including adjoining property owners, the Butler County Planning Commission and the Connoquenessing Borough Planning Commission; and

WHEREAS, the Borough believes that a change and reclassification of the zoning classification of part of the properties known as Tax Map Parcels 370-S1-B2-0000 and 370-S1-A45A-0000 is consistent with and shall promote, protect and facilitate the public health, safety, morals, and general welfare.

NOW THEREFORE, be it ORDAINED and ENACTED and it is hereby ORDAINED and ENACTED as follows:

1. The zoning classification of part of Tax Map Parcel 370-S1-B2-0000 and part of Tax Map Parcel 370-S1-A45A-0000 owned by Leslie Farms, L.P. and Michael C. Forbes and Vickie L. Forbes, husband and wife, respectively, being more particularly

described hereafter, is changed to the Residential Zoning District subject to all of the terms and conditions applicable to said district as set forth in the Borough Zoning Ordinance at Chapter 27, Section 803.

2. The property of Leslie Farms, L.P. being rezoned, containing 5.366 acres, situate in Connoquenessing Borough, Butler County, Pennsylvania, being part of Tax Map Parcel 370-S1-B2-0000, of which the zoning classification is being changed and reclassified to the Residential District, is more particularly bounded and described as follows:

BEGINNING at a point on the centerline of S. R. 3030, Harmony Street, 33 feet wide, at the line dividing Lot 2 and Lot 3 in the Leslie Farms Plan No. 1 as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania in Plan Book Volume 304, pages 5 and 6; thence by the line dividing Lot 2 and Lot 3 in said Leslie Farms Plan No. 1 the following two (2) courses and distances: S 12° 00' 00" W a distance of 267.55 feet to a point; S 35° 22' 00" W a distance of 363.90 feet to a point on the southwestern corner of Lot 3 in said Leslie Farms Plan No. 1; thence by the line dividing Lot 2 and Lot 4 in said Leslie Farms Plan No. 1, S 35° 28' 00" W a distance of 189.07 feet to a point on the most southern corner of Lot 2 in said Leslie Farms Plan No. 1; thence by the line dividing Lot 2 and Lot 1 in said Leslie Farms Plan No. 1 the following four (4) courses and distances: In a northwesterly direction by a curve bearing to the right having a radius of 825.00 feet through an arc distance of 337.61 feet and also having a chord which bears N 23° 48' 12" W and a chord distance of 335.26 feet to a point of tangency; N 12° 05' 00" W a distance of 257.32 feet to a point of curvature; In a northwesterly direction by a curve bearing to the left having a radius of 25.00 feet through an arc distance of 39.27 feet and also having a chord which bears N 57° 05' 00" W and a chord distance of 35.56 feet to a point; 12° 05' 00" W a distance of 25.00 feet to a point on the centerline of S.R. 3030, Harmony Street, 33 feet wide; thence by the centerline of S.R. 3030, Harmony Street, 33 feet wide, the following two (2) courses and distances: N 77° 55' 00" E a distance of 402.78 feet to a point of curvature; In a northeasterly direction by a curve bearing to the right having a radius of 1225.00 feet

through an arc distance of 208.10 feet and also having a chord which bears N 82° 47' 00" E and a chord distance of 207.86 feet to a point on the line dividing Lot 2 and Lot 3 in said Leslie Farms Plan No. 1, at the point of beginning.

Containing 233,729 sq. ft. or 5.366 acres.

3. The property of Michael C. Forbes and Vickie L. Forbes, husband and wife, being rezoned, containing .391 acres and .392 acres, situate in Connoquenessing Borough, Butler County, Pennsylvania, being part of Tax Map Parcel 370-S1-A45A-0000, of which the zoning classification is being changed and reclassified to the Residential District, is more particularly bounded and described as follows:

BEGINNING at a point on the centerline of S.R. 3030, Harmony Street, 33 feet wide, at the line dividing Lot 4R and Lot 3R in the Leslie Farms PRD Phase 1 as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania in Plan Book Volume 304, Pages 7-12; thence by the centerline of S.R. 3030, Harmony Street, 33 feet wide, in a northeasterly direction by a curve bearing to the right having a radius of 1225.00 feet through an arc distance of 74.45 feet and also having a chord which bears N 85° 54' 33" E and a chord distance of 74.44 feet to a point; thence by a line through Lot 3R in said Leslie Farms PRD Phase 1 the following two (2) courses and distances: S 12° 00' 00" W a distance of 267.55 feet to a point; S 35° 22' 00" W a distance of 90.80 feet to a point on the line dividing Lot 3R and Lot 4R in said Leslie Farms PRD Phase 1; thence by the line dividing Lot 3R and Lot 4R in said Leslie Farms PRD Phase 1, N 05° 51' 50" E a distance of 332.17 feet to a point on the centerline of S.R. 3030, Harmony Street, 33 feet wide, at the point of beginning.

Containing 17,022 sq. ft. or 0.391 acres.

BEGINNING at a point on the centerline of S.R. 3030, Harmony Street, 33 feet wide, at the line dividing Lot 2 and Lot 3 in the Leslie Farms Plan No. 1 as recorded in the Office of the Recorder of Deeds of Butler County, Pennsylvania in Plan Book Volume 304, pages 5 and 6; thence by the centerline of S.R. 3030,

Harmony Street, 33 feet wide, the following two (2) courses and distances: In a easterly direction by a curve bearing to the right having a radius of 1225.00 feet through an arc distance of 84.45 feet and also having a chord which bears N 89° 37' 30" E and a chord distance of 84.43 feet to a point of tangency; S 88° 24' 00" E a distance of 45.21 feet to a point on the lands of now or formerly Vicnor Farms, Inc. and Vickie L. and Michael C. Forbes; thence by the line dividing lands of now or formerly Vicnor Farms, Inc. and Vickie L. Forbes and Michael C. Forbes and by a line through Lot 3 in said Leslie Farms Plan No. 1, S 35° 22' 00" W a distance of 320.05 feet to a point on the line dividing Lot 2 and Lot 3 in said Leslie Farms Plan No. 1; thence by the line dividing Lot 2 and Lot 3 in said Leslie Farms Plan No. 1, and through lands of now or formerly Vicnor Farms, Inc., N 12° 00' 00" E a distance of 267.55 feet to a point on the centerline of S.R. 3030, Harmony Street, 33 feet wide, at the point on beginning.

Containing 17,023 sq. ft. or 0.392 acres.

4. The terms, conditions and general requirements of the Zoning Ordinance, Ordinance No. 57, codified as Chapter 27 of the Connoquenessing Borough Code of Ordinance, not inconsistent herewith are hereby affirmed, restated and incorporated herein by reference.

5. If any section, subsection, sentence, or clause of this ordinance is held, for any reason, to be invalid, illegal or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance.

6. All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

BE IT ENACTED AND ORDAINED this 1st day of July, 2008.

CONNOQUENESSING BOROUGH

ATTEST:

Vickie L. L.
Borough Secretary

(Borough Seal)

By: *Floyd J. Lelo*
President

Approved by me this _____ day of _____, 2008.

By: *Charles A. Harko*
Mayor